



# Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General  
30 October 2024

Original: English

## Committee on the Elimination of Discrimination against Women

### Concluding observations on the tenth periodic report of Canada\*

1. The Committee considered the tenth periodic report of Canada ([CEDAW/C/CAN/10](#)) at its 2102nd and 2103rd meetings (see [CEDAW/C/SR.2102](#) and [CEDAW/C/SR.2103](#)), held on 16 October 2024.

#### A. Introduction

2. The Committee appreciates the submission by the State party of its tenth periodic report, which was prepared in response to the list of issues and questions prior to reporting ([CEDAW/C/CAN/QPR/10](#)). It also appreciates the State party's follow-up report to the previous concluding observations of the Committee ([CEDAW/C/CAN/CO/7/Add.1](#) and [CEDAW/C/CAN/CO/7/Add.1/Corr.1](#)). It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its distinguished delegation, which was headed by the Assistant Deputy Minister, Departmental Programs and Operations, Women and Gender Equality Canada, Gail Mitchell. The delegation also included representatives of the Department of Justice, Women and Gender Equality Canada, Crown-Indigenous Relations and Northern Affairs Canada, Canadian Heritage, the Federal Secretariat on Early Learning and Child Care, Employment and Social Development Canada, the Firearms Policy Directorate, Crime Prevention Branch of Public Safety Canada, the Justice, Diversity and Populations Branch, Social, Health and Labour Statistics of Statistics Canada, Environment and Climate Change Canada, the Human Rights and Freedoms Division, International Security and Political Affairs Branch of Global Affairs Canada and representatives from the provincial governments of Nova Scotia and Quebec and the Permanent Mission of Canada to the United Nations Office and other international organizations in Geneva.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2016 of the State party's combined eighth and ninth periodic reports ([CEDAW/C/CAN/CO/8-9](#)) in undertaking legislative reforms, in particular the adoption of the following:

\* Adopted by the Committee at its eighty-ninth session (7–25 October 2024).



(a) Intimate Images Protection Act, adopted by the province of British Columbia in 2024 to address the non-consensual distribution of intimate images and similar provisions in the province of Manitoba;

(b) Amendments to the Criminal Code to criminalize conversion therapies, in 2022;

(c) United Nations Declaration on the Rights of Indigenous Peoples Act, in 2021, and its corresponding action plan;

(d) Bill C-25, amending the Canada Business Corporations Act to require federally incorporated corporations to disclose diversity information to their shareholders, including representation of women, Indigenous Peoples, people of African descent and persons with disabilities on their boards of directors and senior management teams, in 2018;

(e) Amendments to the Canadian Human Rights Act and Criminal Code to include “gender identity or expression” as protected characteristics, prohibiting discrimination and hate propaganda against these groups, in 2017.

5. The Committee welcomes the State party’s efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption and establishment of the following:

(a) Building a Foundation for Change: Canada’s Anti-Racism Strategy (2019-2022), Changing Systems, Transforming Lives: Canada’s Anti-Racism Strategy (2024–2028), and Canada’s Action Plan on Combatting Hate, its first-ever such plan, in 2024;

(b) National Action Plan on Women, Peace and Security 2023–2029;

(c) National Action Plan to End Gender-Based Violence, in 2022;

(d) Integrated Government Strategy to Counteract Sexual Violence, Domestic Violence and to Rebuild Trust, 2022–2027, province of Quebec;

(e) National Action Plan to End Gender-Based Violence, in 2022, and similar initiatives in Alberta and New Brunswick;

(f) Joint Declaration for a Canada Free of Gender-Based Violence, endorsed by the federal, provincial and territorial ministers responsible for the status of women in 2021;

(g) Federal Pathway to Address Missing and Murdered Indigenous Women, Girls and 2SLGBTQQIA+ People, in 2021;

(h) Workplace Harassment and Violence Prevention Regulations, in 2021;

(i) Canada-wide Early Learning and Child Care system, in 2021;

(j) Final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, which sets out 231 calls for justice, in 2019;

(k) National Strategy to Combat Human Trafficking 2019–2024, in 2019, and the commitment to appoint a chief adviser to combat human trafficking and establish a survivor-led advisory committee;

(l) Women Entrepreneurship Strategy, in 2018;

(m) Federal strategy entitled “It’s Time: Canada’s Strategy to Prevent and Address Gender-Based Violence”, in 2017.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified the following international and regional instruments:

(a) Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization, in 2023;

(b) Optional Protocol to the Convention on the Rights of Persons with Disabilities, in 2018.

### **C. Sustainable Development Goals**

7. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of *de jure* (legal) and *de facto* (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.

### **D. Parliament**

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Parliament and provincial and territorial legislatures, in line with their respective areas of jurisdiction, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

### **E. Principal areas of concern and recommendations**

#### **Effectiveness of initiatives to eliminate discrimination against women and girls and promote gender equality**

9. The Committee recognizes Canada's extensive efforts to promote women's equality through legal reforms, initiatives and programmes, backed by substantial domestic and international funding. However, the Committee is concerned about:

(a) The lack of impact measurement of its many legislative initiatives, new programmes and campaigns aimed at promoting gender equality;

(b) The lack of effective involvement of non-governmental organizations that promote women's rights and gender equality, as well as of Indigenous women and Indigenous women's organizations, in the development, assessment and amendment of its gender equality policies and, as a consequence, the insufficient transparency and accountability with respect to their implementation and results;

(c) The need for more disaggregated data across all sectors, including education, health, employment and gender-based violence against women, and on disadvantaged groups of women, including women with disabilities and refugee, asylum-seeking and migrant women;

(d) The overall absence of policies aimed at men, at all levels of society, to eliminate gender stereotypes and patriarchal attitudes concerning the roles and responsibilities of women and men in the family and society.

**10. The Committee recommends that the State party:**

(a) **Implement measurement tools, such as follow-up studies, to assess the impact of its gender equality policies, so that lessons are learned and policy goals are achieved;**

(b) **Develop an effective mechanism, including by working with coalitions rather than hundreds of organizations, to ensure that the inputs and views of non-governmental organizations that promote women's rights and gender equality, as well as of Indigenous women and Indigenous women's organizations, are included in all initiatives for the elimination of discrimination against women and the promotion of gender equality, and their aftermath assessments, and to secure transparency, accountability and the involvement of all relevant stakeholders;**

(c) **Enhance data collection and analysis across all demographic sectors, particularly for disadvantaged and Indigenous women, disaggregated by sex, age, disability and geographical location, to measure progress on gender equality initiatives and inform evidence-based policymaking in all areas covered by the Convention, in collaboration with Indigenous women and Indigenous women's organizations;**

(d) **Address men in policies and initiatives aimed at eliminating discrimination against women and promoting gender equality to challenge stereotypical attitudes regarding masculinity and femininity, with the goal of eradicating all forms of gender-based violence against women and girls, transforming societal norms and eliminating patriarchal stereotypes related to gendered roles in the family and society.**

**Visibility of the Convention, the Optional Protocol thereto and the implementation of international recommendations**

11. The Committee acknowledges the establishment of the Senior Officials Committee Responsible for Human Rights, the Forum of Federal-Provincial-Territorial Ministers Responsible for Human Rights and the Forum of Federal-Provincial-Territorial Ministers Responsible for the Status of Women. However, it notes with concern the long delay in finalizing a national mechanism on the implementation, reporting and follow-up of international recommendations, including the concluding observations of the Committee.

12. **Recalling its previous concluding observations (CEDAW/C/CAN/CO/8-9, para. 11, and CEDAW/C/CAN/CO/7, para. 12), the Committee recommends that the State party expedite the finalization of a national mechanism to report, implement and follow-up on international recommendations, taking into account the four key capacities of engagement, coordination, consultation and information management, and that it ensure the meaningful involvement of civil society organizations that promote women's rights and gender equality and the overall participation of women therein.**

**Extraterritorial State obligations under the Convention**

13. The Committee commends the State party on its feminist foreign policy and the adoption of the National Action Plan on Women, Peace and Security 2023–2029, both of which have been leveraged to advance reproductive rights and health worldwide, including in conflicts around the world, where women's maternal and reproductive

rights are at risk. It also commends the State party for being one of the original supporters on the Security Council of Council resolution 1325 (2000) and the Chair of the Group of Friends of Women, Peace and Security at the United Nations. The Committee acknowledges that the State party has promoted the need for laws to be compliant with international humanitarian law and the principles related to women and peace and security and recognizes the awareness it has raised about the intended or unintended biases in the development and programming of autonomous functions in weapons systems. Finally, the Committee also acknowledges the State party's announced moratorium on deep seabed mining in both national and international waters. However, it is concerned about:

(a) Insufficient outreach on and implementation at the international level of Security Council resolution 1325 (2000) and subsequent resolutions on women and peace and security, including to raise awareness that food insecurity in war is not limited to depriving people of food but also of supplies that are indispensable for civilians' survival, such as medicine, especially for pregnant women, who face an increased risk of miscarriage;

(b) Insufficient awareness about the landmark opinion delivered by the International Tribunal on the Law of the Sea following the request brought by Tuvalu and eight other Caribbean and Pacific island States, in which the Tribunal held that all States are legally bound to protect the marine environment from the existential threats of climate change, as well as about the ensuing environmental degradation and economic disruption;

(c) The social consequences of deep seabed mining carried out by Canadian companies that are disproportionately affecting women and girls in local communities;

(d) Insufficient information on policies and regulations preventing direct or indirect arms transfers by the State party or by private companies under its jurisdiction to third countries, including Israel, for use in conflict zones where they may facilitate violations of women's and girls' human rights as well as of international humanitarian law, notably in Gaza.

**14. The Committee recommends that the State party:**

(a) **Take all steps necessary to safeguard the reproductive rights of women in all conflict zones in line with Security Council resolutions 1325 (2000), 2417 (2018), 2467 (2019) and 2475 (2019);**

(b) **Assess the risks of deep seabed mining on women's food insecurity and ensure that deep seabed mining in the Pacific is consistent with Sustainable Development Goal 14 (Conserve and sustainably use the oceans, seas and marine resources for sustainable development). In addition, in line with the commitments that the State party made in the third cycle of the universal periodic review, hold Canadian-registered deep seabed mining companies accountable for environmental damage to oceans and marine life, which inevitably effects the lives and livelihoods of women in the Pacific region and violates their human rights under the Convention;**

(c) **Appealing to the leadership of the State party in the implementation of Security Council resolution 1325 (2000) and subsequent resolutions on women and peace and security and its international obligations under the Convention and under the Arms Trade Treaty, which sets forth as its purposes the reduction of human suffering and the promotion of cooperation, transparency and responsible action by States in the international trade in conventional arms, enhance its transparency and accountability mechanisms regarding the direct and indirect transfers and export of arms, including parts and components**

thereof, to third countries, whether by the State party itself or by companies registered or domiciled within its territory, and develop a mechanism to conduct comprehensive and transparent assessments of the impact of such transfers on the human rights of women and girls living in conflict zones, in line with its feminist foreign policy.

#### **National machinery for the advancement of women**

15. The Committee notes the issuance of the federal Government's strategy to advance gender equality and the departmental plan for 2023–2024 of the Department for Women and Gender Equality, which replaced the Office of the Coordinator for the Status of Women, in 2018. However, the Committee emphasizes that the State party's obligations under the Convention go beyond creating institutions and allocating funds and that inadequate coordination among federal, provincial and territorial structures for the advancement of women's rights undermines accountability and uniform implementation of the Convention across the State party's territory.

16. **The Committee recommends that the State party streamline the procedures and policies of all institutions at the federal, provincial and territorial levels tasked with formulating, coordinating and overseeing the issuance and implementation of gender-responsive laws and policies and that it effectively standardize policies and procedures.**

#### **Temporary special measures**

17. The Committee notes that the State party has introduced temporary special measures in employment and women's participation in political life, including targeted programmes, legislative reforms and incentives designed to increase women's representation in key areas such as politics, leadership positions and corporate boards. The Committee is concerned about:

(a) The significant barriers to participation in public life that disadvantaged groups of women, including Indigenous women, women with disabilities, women of African descent, migrant women and lesbian, bisexual, transgender and intersex women continue to experience, and the absence of an intersectional approach in designing and evaluating the effectiveness of temporary special measures to address their specific needs;

(b) The absence of adequate mechanisms to ensure the meaningful participation of First Nations, Inuit and Métis women and their communities in the development of these measures;

(c) The lack of disaggregated data demonstrating the impact of temporary special measures in achieving substantive gender equality, particularly in employment and political participation.

18. **In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:**

(a) **Mainstream intersectionality in all of its temporary special measures and ensure that they meet the needs of all women, in particular Indigenous women, women with disabilities, women of African descent, migrant women and lesbian, bisexual, transgender and intersex women, and establish mechanisms to regularly assess the effectiveness of these measures;**

(b) **Develop mechanisms to ensure the effective and meaningful participation of Indigenous women, including those living off-reserve, in the**

**planning, implementation and supervision of compliance with temporary special measures;**

**(c) Systematically collect data on the impact of temporary special measures and include such data in its next periodic report.**

### **Stereotypes and harmful practices**

19. The Committee regrets the lack of concrete information from the State party regarding the implementation of recommendations from the 2020 report entitled “Broken dreams, broken lives: The devastating effects of sexual harassment on women in the RCMP”, which revealed a pervasive culture of misogyny, racism and homophobia within the Royal Canadian Mounted Police, and the absence of information on investigations initiated in response to these findings and subsequent outcomes. This lack of transparency impedes the Committee’s ability to assess the State party’s progress in addressing these serious issues within its national law enforcement agency. The Committee is also concerned about the persistent stereotypes directed at marginalized groups of women and girls who are facing historical and intersecting forms of discrimination, namely, Indigenous women and girls, women and girls of African descent and lesbian, bisexual, transgender and intersex women. The Committee is particularly concerned about the rise in hate crimes and threats against lesbian, bisexual, transgender and intersex women. It is also concerned that the media continues to portray women in stereotyped roles and largely focuses on appealing to men.

**20. The Committee recommends that the State party:**

**(a) Establish an independent, external oversight mechanism to monitor the implementation of recommendations from the 2020 report entitled “Broken dreams, broken lives”. It urges the State party to conduct thorough, impartial investigations into all allegations of misconduct and human rights violations within the Royal Canadian Mounted Police as documented in the report and ensure accountability by imposing appropriate disciplinary measures and, where applicable, criminal sanctions on Mounted Police personnel found responsible for violations, regardless of rank. Furthermore, it should develop and implement a comprehensive, victim-centred reparations programme for those affected, including financial compensation, psychological support and career rehabilitation. The Committee also recommends that the State party regularly report on progress and implement structural reforms within the Royal Canadian Mounted Police to address systemic issues of misogyny, racism and homophobia;**

**(b) Enhance the Canadian Radio-Television and Telecommunications Commission’s role in combating gender stereotypes in broadcast media, strengthen the Canadian Association of Broadcasters’ Equitable Portrayal Code to include an effective complaint mechanism with provisions for appropriate remedies and implement a comprehensive system to regularly assess and report on the impact of these measures in reducing stereotypes and promoting equitable broadcast media representation, ensuring continuous improvement and accountability.**

### **Gender-based violence against women and girls**

21. The Committee welcomes the progress made by the State party in addressing gender-based violence against women and girls, including the adoption of a federal strategy. However, the Committee remains concerned about:

**(a) The increase in the number of police-reported cases of gender-based violence, including femicide and hate crimes, in particular affecting Indigenous**

women, women of African descent, women belonging to religious minorities, women with disabilities and lesbian, bisexual, transgender and intersex women;

(b) The lack of femicide-specific research, despite the extensive availability of data.

**22. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and target 5.2 of the Sustainable Development Goals (Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation), the Committee urges the State party to meaningfully engage communities and civil society in the implementation of the National Action Plan to End Gender-Based Violence and establish mechanisms for its independent oversight, monitoring and evaluation. It further recommends that the State party:**

(a) Ensure, through mandatory and continuous training and capacity-building for judges, prosecutors, police officers and other law enforcement officials, that gender-based violence, including femicide and hate crimes against Indigenous women, women of African descent, women belonging to religious minorities, women and persons with disabilities and lesbian, bisexual, transgender and intersex women, are effectively investigated and prosecuted, that perpetrators are adequately punished, that protection orders are effectively enforced and monitored, with sanctions in case of non-compliance, and that programmes targeted at perpetrators are developed based on a cognitive behaviour approach and closely linked with the safety of the victims;

(b) Prioritize and allocate resources for comprehensive femicide-specific research, leveraging the extensive data available, to better understand the root causes, patterns and consequences of gender-related killings of women and girls, develop evidence-based prevention strategies and interventions, enhance data-collection mechanisms to ensure accurate and disaggregated statistics on femicide cases and use the research findings to inform policymaking, improve victim protection measures and strengthen the criminal justice response to femicide, with the ultimate goal of preventing these crimes and ensuring accountability for perpetrators.

23. The Committee notes the amendments to the Criminal Code adopted in 2019 to enhance the response to intimate partner violence and the Government of Canada's support for private member Bill C-332 that, if adopted, would create an offence of exercising coercive control of an intimate partner by engaging in conduct with the intention to cause one's intimate partner to believe that their physical or psychological safety is threatened, or being reckless as to whether it could have that effect. Nevertheless, the Committee is concerned that women continue to experience higher and disproportionate rates of intimate partner violence, especially Indigenous women and women of African descent.

**24. The Committee recommends that the State party amend its legislation to expand the definitions of domestic violence to include non-physical forms of abuse in domestic violence cases, including emotional and psychological abuse, as well as coercive control, and ensure comprehensive protection of women experiencing domestic violence.**

#### **Missing and murdered Indigenous women and girls**

25. The Committee commends the publication in 2019 of the final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls and notes that the State party has dedicated Can\$ 2.2 billion to address the root causes of

violence against Indigenous women and girls, including lesbian, bisexual, transgender and intersex women. However, the Committee deeply regrets the State party's failure to fully implement the recommendations contained in the Committee's report on the inquiry conducted under article 8 of the Optional Protocol to the Convention ([CEDAW/C/OP.8/CAN/1](#)) and the delay in providing follow-up information, which hinders the Committee's ability to effectively assess progress and address persistent issues affecting Indigenous women and girls. In particular, the Committee is concerned about:

(a) The State party's slow progress in implementing the calls for justice from the final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls;

(b) The insufficient preventive measures to protect Indigenous women and girls from further violence and the lack of concrete actions aimed at addressing the root, systemic causes of all forms of violence against Indigenous women and girls, including sexual violence, as identified in the final report of the National Inquiry.

**26. The Committee urges the State party to implement, without further delay, the recommendations contained in the report of the Committee on the inquiry under article 8 of the Optional Protocol to the Convention ([CEDAW/C/OP.8/CAN/1](#)) and submit by 1 May 2025 the outstanding information on the measures taken to implement the recommendations made by the Committee under the follow-up procedure to the inquiry report. It also recommends that the State party:**

**(a) Speed up the implementation of calls for justice 1.1, 1.7, 1.10, 4.5 and 13.1 of the 2019 final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls;**

**(b) Ensure that funding opportunities for Indigenous women and their organizations are intersectional and address their specific needs, especially regarding gender-based violence and disappearances, and establish clear indicators to measure the effectiveness of these funding initiatives, ensuring alignment with call for justice 1.8 from the final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls. Such indicators should be developed in close consultation with Indigenous women and their representative organizations to ensure cultural relevance and efficacy in addressing the unique challenges faced by Indigenous communities.**

#### **Trafficking of women and girls and exploitation of prostitution**

27. The Committee welcomes the progress of appointing a Senior Advisor to Combat Human Trafficking and towards establishing a survivor-led advisory committee, as well as implementing the Protection of Communities and Exploited Persons Act enacted in 2014. However, it notes with concern:

(a) The lack of adequate resources and coordination to identify and investigate trafficking cases, including of Indigenous women, especially underage girls, migrant women, homeless women and women with disabilities, who are particularly vulnerable to sexual exploitation through trafficking and prostitution;

(b) The absence of disaggregated data on all forms of trafficking for every jurisdiction in Canada, including the number of investigations, prosecutions and convictions;

(c) The failure to provide comprehensive reparations to victims and survivors, including through the seizure of the assets of traffickers, as well as the insufficient

emergency shelter and gender-specific housing support for women affected by trafficking.

**28. Recalling its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party:**

(a) **Strengthen efforts to combat trafficking in women and girls by encouraging enhanced coordination between different agencies and allocating adequate funds for the effective implementation of its National Action Plan, paying particular attention to Indigenous women, underage girls, migrant women, homeless women and women with disabilities;**

(b) **Guarantee the systematic collection and analysis of data on trafficking, disaggregated by age, sex and forms of trafficking;**

(c) **Ensure that all victims of trafficking have access to temporary residence permits as well as shelters, housing, healthcare, psychosocial counselling, rehabilitation programmes and reparations.**

#### **Participation in political and public life**

29. The Committee commends the State party for the high representation of women in its foreign service, with women constituting 53 per cent of Canadian foreign service officers and 47 per cent of heads of mission, as well as the existence of an Ambassador for Women, Peace, and Security. It also acknowledges that the current Governor General, Mary Simon, is the first Indigenous person to hold this role. However, the Committee remains concerned about women's representation in politics and management and as members of boards, which continues to be insufficient. In particular, the Committee is concerned that:

(a) Women occupy just over one fifth (20.5 per cent) of board positions, with 59.7 per cent of boards being composed only of men;

(b) The increased trend worldwide of cyberviolence and bullying against women in politics and the lack of comprehensive laws and regulations for their protection, which makes it harder for women candidates to stay and stand in elections and hinders the enjoyment of their political right to be elected;

(c) Educational services are the only sector where boards of directors reached gender parity, with the agriculture industry having the lowest levels of women's representation;

(d) The Canadian Women's Foundation reports that just 6.2 per cent of women-held board and management positions are occupied by women of colour;

(e) Women hold fewer than one third of seats in the House of Commons and only 32 per cent of mayoral positions and 35 per cent of city council seats.

**30. In line with its general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party strengthen its efforts to promote the equal representation of women in politics. In particular, it recommends that the State party:**

(a) **Take all appropriate measures, including regulation and economic incentives, to increase the rate of women, including women of colour, on boards in all sectors;**

(b) **Introduce specific policies to prevent hate speech against women politicians and women candidates in public discourse, including online, and prevent harassment and threats against them, including by requiring political**

parties to adopt regulations on gender equality and on combating harassment of women candidates and activists, and also by holding social media companies accountable for discriminatory user-generated content;

(c) Exercise federal leadership to promote greater equality across provinces and territories, while providing capacity-building opportunities for women politicians and candidates to enhance their skills in political campaigning, leadership and negotiation;

(d) Collaborate with media outlets to raise awareness among politicians and journalists and within society on the need for women's equal and inclusive representation in political and public life and in the private sector as a necessary condition for political stability, sustainable development and inclusive growth;

(e) Implement, as a priority, a comprehensive strategy to achieve parity and sustainably overcome barriers to women's equal representation in decision-making positions in political and public life. This strategy should place particular emphasis on disadvantaged groups of women and include temporary special measures such as a zipper system to ensure equal ranking of women and men candidates on political parties' electoral lists, targeted campaigns, financing for women candidates and preferential recruitment of women to public service positions and international bodies. These measures should be implemented with the clear objective of achieving substantive equality and parity in all spheres of political and public decision-making, in line with general recommendation No. 40 (2024) on the equal and inclusive representation of women in decision-making systems.

#### **Nationality and citizenship rights**

31. The Committee is deeply concerned that despite amendments to the Indian Act, gender-based discrimination against Indigenous women and girls persists. It is particularly concerned about:

(a) The provisions of the Indian Act setting forth that after two generations of "out-parenting", Indian status cannot be transmitted to a child (second generation cut-off), as well as those requiring that there be two Indian parents to transmit status to a child (two-parent rule);

(b) The ongoing lack of action to reinstate membership to the Indian Bands (natal and other) to women and their descendants who were automatically removed from their Indian Band membership;

(c) The legal provisions of the State party preventing First Nations women and their descendants from obtaining reparations for human rights violations regarding the Indian Act;

(d) The low registration of new memberships; the lack of effective policies ensuring that unregistered Indigenous women and girls, as well as Indigenous women living off-reserve, can access programmes and benefits related to Indigenous early learning and childcare, along with affordable, accessible and culturally relevant childcare services. Furthermore, the Committee is worried about insufficient support for Indigenous women to overcome barriers to employment and entrepreneurship, boost participation in traditional economies and access workplace vocational training and education within their communities. These gaps in policy and support systems hinder the ability of Indigenous women to fully participate in economic and educational opportunities, potentially perpetuating cycles of disadvantage.

**32. The Committee recommends that the State party:**

(a) Amend section 6 of the Indian Act to remove status categories under sections 6 (1) (f) and 6 (2) and any other legal provisions that do not recognize the equal right of women and men to transmit their Indian status to their children and eliminate all remaining categories or classes of Indian status, including differentiations in eligibility caused by pre- and post-1985 birth and marriage dates;

(b) Review records to grant status to First Nations women, and their descendants, who were previously denied status and are now eligible;

(c) Repeal all domestic legal provisions restricting access to comprehensive reparations for the violation of human rights of First Nations women and their descendants, including those stemming from the Indian Act, and develop a mechanism to address reparation claims, in coordination with First Nations women and their descendants;

(d) Conduct outreach campaigns to inform First Nations women and their descendants that they may be newly entitled to status, while allocating sufficient resources, funding and support to achieve increased membership numbers and secure successful, expedited registration processes within the same time frame as other identification services, establish a mechanism to challenge all refusals issued in the procedure to recognize status to Indigenous women and their descendants, which includes representation of First Nations, and develop and implement comprehensive policies ensuring that all Indigenous women and girls, including those who are unregistered and off-reserve, have equal access to early learning, childcare, employment support and educational opportunities. These policies should be adequately funded, culturally relevant and developed in consultation with Indigenous communities.

**Education**

33. The Committee acknowledges that according to the Organisation for Economic Co-operation and Development in 2022 Canada was ranked as the most educated country in the world and the country ranks at the top in the percentage of adults having tertiary education, with over 57 per cent of Canadian adults having attained at least an undergraduate degree. However, the Committee is concerned about:

(a) The gap in education levels between Indigenous Peoples and non-Indigenous Peoples and cuts to First Nations educational institutes that have crippled Indigenous language immersion programmes for primary students, the insufficient progress in substantially increasing post-secondary education access for Indigenous women and girls, boosting enrolment rates and preventing student dropouts, and the lack of comprehensive measures to ensure the inclusive education of women with disabilities, including those with intellectual disabilities;

(b) The intergenerational harm of Canada's Indian residential school system that still affects women and girls in the State party and the links between the legacy of residential schools and the current, disproportionately high rates of violence against Indigenous women, which is four times the national average;

(c) While noting the consideration of the Artificial Intelligence and Data Act by the Canadian Parliament as part of Bill C-27, the lack of procedures in the Act to guarantee that artificial intelligence is designed, developed and deployed in a safe manner for the benefit of society and without harm to Canadians and the world, and the fact that gender bias can creep into the training data of large language models leading to algorithmic bias;

(d) The lack of harmonized gender equality mainstreaming and sex education curricula among provinces and territories.

**34. The Committee recommends that the State party:**

(a) **Develop policies to ensure equal access to quality education for Indigenous Peoples so as to narrow the persisting gaps in education with non-Indigenous Peoples, increase the inclusion and effective retention and reinsertion of girls in school, in particular at the post-secondary level, with special attention to Indigenous girls, including through scholarships, and develop a national strategy for inclusive education for persons with disabilities, including women with intellectual disabilities;**

(b) **Implement the calls to action of the 2015 final report of the Truth and Reconciliation Commission, including calls 62 and 63, on strengthening learning connected with Indigenous perspectives, cultures, histories and contemporary realities, ensure that educational centres educate on truth and reconciliation and anti-violence against Indigenous women and girls, and investigate the correlation between the legacy of residential schools and high rates of violence against Indigenous women and ensure reparations for this victimization;**

(c) **Ensure that gender parity is part of the development stage of artificial intelligence at the inception, as well as its implementation and assessment;**

(d) **Mainstream gender-equality and sexual and reproductive health education in schools in all provinces and territories.**

**Employment**

35. The Committee welcomes the Canada-wide Early Learning and Child Care Plan and praises the State party for its results, including the increased participation in the paid labour force of mothers with young children. However, the Committee remains concerned about:

(a) The lack of consistent funding for and implementation of the Canada-wide Early Learning and Child Care system across the State party's territories. It notes that there are insufficient services to meet the high demand for childcare spaces, the uneven availability of affordable licensed childcare and the lack of accessible options in remote and rural areas;

(b) The pay gap between women and men in the State party, including in self-employment, with women consistently earning less than their male counterparts across all fields of study and credential levels, even five years after graduation;

(c) The underrepresentation of women in senior roles within labour markets and corporate enterprises and their overrepresentation in part-time jobs;

(d) Women spending more time on unpaid care work than men and the lack of data on the number of weeks taken by fathers as paternity leave;

(e) The lack of comprehensive measures to address the employment challenges faced by Indigenous women, women of African descent, migrant women and women with disabilities;

(f) The lack of implementation of the 2024 final report of the task force that conducted a comprehensive review of the Employment Equity Act, which may hinder progress towards achieving gender equality in employment.

**36. The Committee recommends that the State party:**

(a) **Ensure sufficient funding for the implementation of the Canada-wide Early Learning and Child Care Plan, particularly in rural and remote areas;**

- (b) **Effectively enforce the principle of equal pay for work of equal value in order to narrow the gender pay gap, including by conducting regular labour inspections, applying gender-neutral analytical job classification and evaluation methods and conducting regular pay surveys;**
- (c) **Establish measures to increase women's representation in senior roles in the labour and corporate markets and in non-traditional fields;**
- (d) **Adopt measures to encourage fathers to take paternity leave, including designated leave for fathers, and to perform more care labour in the family and in care-related professions;**
- (e) **Implement temporary special measures to accelerate substantive equality and eliminate intersecting forms of discrimination, such as affirmative action for Indigenous women, women of African descent, migrant women and women with disabilities in the workforce, including by improving the accessibility of physical spaces in both workplaces and educational facilities;**
- (f) **Follow up on the 2024 final report of the task force that conducted a comprehensive review of the Employment Equity Act;**
- (g) **Ratify the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.**

## **Health**

37. The Committee commends the State party on its strong public health system, which is grounded in a human rights-based model and the principles of equity and fairness and is State-sponsored. It also notes the tremendous potential for Canada to be a leader in healthcare innovation by leveraging recent advances in artificial intelligence. However, the Committee is concerned about:

- (a) Despite the Artificial Intelligence and Data Act, the way data is collected and interpreted by gender in relation to artificial intelligence being subject to fundamental biases in Canada and that the gender gap is worse for Indigenous women;
- (b) The persistence of forced sterilizations of Indigenous women, despite the Canadian Standing Senate Committee on Human Rights detailing forced and coerced sterilizations in Canada in its 2021 report and recommending that the Government of Canada respond to the report without delay and that a parliamentary committee conduct further study on forced sterilizations with the goal of identifying solutions to stop the practice, as well as the entrenched distrust of Indigenous women in State-sponsored medical facilities and resources;
- (c) The lack of adequate laws and policies to ensure the granting of informed consent, understood as more than simply signing a consent form;
- (d) The correlation between lack of access to menstrual products and poverty, disproportionately affecting youth, single mothers, Indigenous women, persons of African descent, immigrants, people experiencing homelessness, people living with disabilities, gender diverse individuals and those who live in remote areas;
- (e) The persistent barriers in the public health system hindering access to abortion care, disproportionately affecting women from disadvantaged groups, women in remote and rural areas and undocumented migrants;
- (f) The indication of overuse of the programme for medical assistance in dying and the absence of an intersectional approach in its implementation, which disproportionately affects women with intellectual disabilities and other disadvantaged groups.

**38. The Committee recommends that the State party:**

(a) Approve Bill S-250 introduced in Parliament in 2022, paying full attention to the mental, psychological and physical impact of forced and coerced sterilizations on Indigenous women and communities, address the intergenerational harm that coerced and forced sterilization has caused and develop programmes to eliminate the distrust of Indigenous communities in State-sponsored healthcare facilities;

(b) Create comprehensive forms, guidelines and protocols to ensure that all women have access to adequate informed consent procedures in all healthcare and medical institutions, especially those that Indigenous women frequently attend;

(c) Address period poverty in all communities, with a special focus on Indigenous and disadvantaged groups of women, and provide menstrual hygiene management support and safe and hygienic water, sanitation and hygiene facilities in all schools, hospitals and state-run facilities;

(d) Adopt effective safeguards to ensure that artificial intelligence systems and algorithms do not perpetuate or condone gender stereotypes, discrimination or gender-based violence against women and mitigate the risks of harm and biased output of artificial intelligence systems in the healthcare system, and create a gender and human rights artificial intelligence and data commissioner within the department responsible for the implementation of the Artificial Intelligence and Data Act to address gender bias from the development to the dissemination of artificial intelligence in healthcare;

(e) Ensure access to legal abortion services in all provinces and territories, including for women from disadvantaged groups;

(f) Conduct a review of the programme for medical assistance in dying to analyse the links between gender-based violence, societal barriers and systemic pressures faced by women, particularly women with intellectual disabilities in relation with medical assistance in dying.

**Social and economic empowerment of women**

39. The Committee is concerned about the feminization of poverty in the State party and that women living with intersecting identities have much higher rates of poverty and are overrepresented in minimum-wage and part-time jobs. It is also concerned about:

(a) The lack of comprehensive, gender-specific policies to address homelessness of women;

(b) The influx of temporary workers into resource-rich areas, who are often housed in temporary workforce housing (“man camps”), which can lead to gender-based violence against women;

(c) The absence of consistent legislation across all levels of government to mandate gender-based and human-rights-based impact assessments for development projects;

(d) The disproportionate burden of unpaid labour, caregiving and domestic responsibilities placed on women in Canada, which significantly hinders their social and economic empowerment and limits their access to education, employment opportunities and career advancement, therefore contributing to economic insecurity and reinforcing gender inequalities, as well as the lack of adequate state support and social protection measures to alleviate these burdens, particularly for marginalized

groups, including single mothers, women with disabilities and women of African descent.

**40. The Committee recommends that the State party:**

(a) **Revise the definition of chronic homelessness to better capture the gendered experiences and housing needs of Indigenous women and girls and other systemically disadvantaged women. It urges the State party to develop a gender-specific accountability mechanism that includes time-bound, human rights-based goals and targets aimed at eliminating housing insecurity among women in the State party;**

(b) **Strengthen regulations and oversight mechanisms to combat gender-based violence at working sites in resource-rich areas;**

(c) **Adopt consistent legislation across all levels of government to mandate gender-based and human-rights-based impact assessments for all development projects. It urges the State party to ensure that these assessments are conducted with the meaningful participation of women, including Indigenous women and those from marginalized communities, to identify and address potential adverse impacts;**

(d) **Ensure access to comprehensive social support measures for women engaged in unpaid care work, develop mechanisms to assess and evaluate the impact of unpaid and underpaid labour on poverty and economic inequality among women, particularly Indigenous women, women with disabilities and immigrant women, and develop policies and programmes to reduce the burden of unpaid care work, including through social protection, childcare services and economic empowerment initiatives tailored to support these groups.**

**Indigenous women and girls**

41. The Committee recognizes the policies at the federal, provincial and territorial levels aimed at improving and guaranteeing the rights of Indigenous women and girls. Nevertheless, the Committee is concerned about:

(a) The overrepresentation of Indigenous women in the penitentiary system of the State party and their increased likelihood to experience discrimination in the criminal and penitentiary system, including solitary confinement;

(b) The correlation between the presence of extractive industries in Indigenous communities and increased rates of gender-based violence, sex trafficking and intimate partner violence, as well as the disruption of traditional ways of life of Indigenous women and the displacement and environmental degradation caused by these projects;

(c) The link between the presence of extractive industries in Indigenous communities and conflicts over land and resources and the criminalization of the actions of Indigenous women human rights defenders to protect their lands.

**42. With reference to its general recommendation No. 39 (2022) on the rights of Indigenous women and girls, the Committee recommends that the State party:**

(a) **Develop effective accountability mechanisms to investigate, prosecute and sanction human rights violations against women in the penitentiary system and provide comprehensive reparations to affected women. It urges the State party to strengthen existing accountability mechanisms within the Correctional Service of Canada by enhancing transparency, independent oversight and victim support services. In addition, it recommends the establishment of clear procedures for reporting and addressing complaints of women in the**

penitentiary system, ensuring that investigations are thorough, impartial and timely and that those responsible are held accountable;

(b) Prevent, address, sanction and eradicate all forms of gender-based violence against rural and Indigenous women and girls, including environmental, spiritual, political, structural, institutional and cultural violence, that are attributable to extractive industries, and ensure that Indigenous women and girls have timely and effective access to both non-Indigenous and Indigenous justice systems, including protection orders and prevention mechanisms when needed;

(c) Strengthen its legal framework and establish effective mechanisms to ensure that the activities of mining companies and extractive industries are subject to the free, prior and informed consent of and adequate benefit-sharing with affected Indigenous women;

(d) Ensure Indigenous women are fully consulted and able to give their free, prior and informed consent in decisions affecting their lands and resources and prevent and protect Indigenous women from gender-based violence in the context of extractive industries;

(e) Develop, in consultation with Indigenous women human rights defenders, effective mechanisms to prevent the criminalization of their actions to protect their lands and ensure that Canadian extractive companies operating domestically and abroad are held accountable for human rights violations.

#### **Women and girls with disabilities**

43. The Committee notes with concern that women and girls with disabilities face intersecting forms of discrimination in the State party, especially regarding access to justice, education, employment, housing and healthcare.

44. **Recalling its general recommendation No. 18 (1991) on disabled women, the Committee recommends that the State party:**

(a) Ensure that women and girls with disabilities have adequate access to justice, inclusive education, employment and accessible housing and health services, including sexual and reproductive health services, and that they are provided with reasonable accommodation and state-of-the-art assistive technologies;

(b) Increase the amount of the Canadian disability benefit so that women and girls with disabilities can get out of poverty and extend its eligibility so that all women and girls with disabilities can qualify.

#### **Refugee, asylum-seeking and migrant women and girls**

45. The Committee notes with concern that refugee, asylum-seeking and migrant women and girls face intersecting forms of discrimination and disproportionate levels of gender-based violence and that undocumented migrant women and girls are exposed to a high risk of sexual exploitation and recruitment, including by human trafficking networks. The Committee is also concerned about the unequal access of these women and girls to social services, education and employment.

46. **In line with its general recommendations No. 26 (2008) on women migrant workers, and No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party address intersecting forms of discrimination against refugee, asylum-seeking and migrant women and girls, promote their economic empowerment by ensuring their equal access to education and employment and**

**facilitate their social integration, education and employment, and that it protect them from gender-based violence, including by prosecuting and adequately punishing perpetrators.**

#### **Marriage and family relations**

47. The Committee is concerned about:

(a) The insufficient resources available for free legal aid in some provinces, in particular in family court procedures;

(b) The lack of access to justice for women in detention, including in relation to their family rights as mothers who are separated from their children and political rights as voters, including by denying them access to relevant information on elections;

(c) The lack of studies on the impact of federal family law reforms, many of which came into effect in 2021, on women and on the possible persistence of the parental alienation syndrome in family courts;

(d) The lack of mandatory training on domestic violence and intersectionality for family court judges and other professionals within the family court system.

48. **The Committee recommends that the State party:**

(a) **Secure free and accessible legal aid for all women who cannot afford private legal advice and representation, in particular in family matters;**

(b) **Develop policies and measures to secure the right of female prisoners to access to justice, including in relation to their family and political rights;**

(c) **Undertake studies on the impact and effects of the 2021 family law reform and prevent the use of the parental alienation syndrome, or parallel legal manoeuvres, in the Canadian legal system;**

(d) **Ensure that family court judges and other professionals in the family court system are trained on domestic violence and on intersectionality.**

#### **Beijing Declaration and Platform for Action**

49. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.**

#### **Dissemination**

50. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, Parliament and the judiciary, to enable their full implementation.**

### **Ratification of other treaties**

51. The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> and relevant regional instruments would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, to which it is not yet a party.

### **Follow-up to concluding observations**

52. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 10 (d), 26, 30 (b) and 32 (a) above.

### **Preparation of the next report**

53. The Committee will establish and communicate the due date of the eleventh periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.

54. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.